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4 **P.O. Box 501969**  
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8 *Attorneys for Plaintiff Lisa S. Black*

9  
10 **IN THE UNITED STATES DISTRICT COURT**  
11 **FOR THE**  
12 **COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

13 **LISA S. BLACK,**

14 **Plaintiff,**

15 **vs.**

16 **JIM BREWER, individually and in his**  
17 **official capacity as Acting Principal of**  
18 **Hopwood Junior High School,**  
19 **COMMONWEALTH OF THE**  
20 **NORTHERN MARIANA ISLANDS**  
21 **PUBLIC SCHOOL SYSTEM, and JOHN**  
22 **AND/OR JANE DOE,**

23 **Defendants.**

24 **CIVIL ACTION NO. 05-0038**

25 **PLAINTIFF'S THIRD SET OF**  
26 **REQUESTS FOR PRODUCTION**  
27 **OF DOCUMENTS**

28 **TO: JIM BREWER and his Counsel of Record**

COMES NOW Plaintiff Lisa S. Black, by and through counsel, and makes the following discovery requests of Defendant Commonwealth of the Northern Mariana Islands Public School System ("PSS"). Pursuant to the Federal Rules of Civil Procedure, YOU are requested to answer the following discovery requests separately and in writing and under oath, and return said answers and/or produce the requested DOCUMENTS for copying and inspection within thirty (30) days at O'Connor Berman Dotts & Banes at the 2nd Floor of the Nauru Building, Susupe, Saipan, MP 96950.

I.

**INSTRUCTIONS AND DEFINITIONS**

1. These discovery requests are to be deemed continuing and YOU and YOUR attorney are under a duty to supplement your responses if YOU or any of YOUR employees, agents, or attorneys obtain additional information as to any of the matters inquired of herein.

2. If, in responding to these discovery requests, YOU encounter any ambiguity in construing any request, instruction or definition, set forth the matter deemed ambiguous and the construction used in responding. If for any reason additional space is necessary in answering any discovery requests, complete the answers on an additional sheet bearing the same number as the number of the discovery requests which is being answered.

3. In responding to this or these discovery requests, YOU must make a diligent search of YOUR records and other DOCUMENTS in YOUR possession or available to YOU, including information which is in the possession of YOUR attorneys, investigators for YOUR office, employees, representatives and agents, and not merely such information known to YOU or YOUR own personal knowledge.

4. If a discovery request has sub-parts, respond to each part separately and in full so that YOUR response is understandable. Do not limit YOUR response to the request as a whole.

5. Each written response shall state, with respect to each item or category, that inspection and related activities will be permitted as requested, unless the request is objected to, in which

1 event the reasons for objection shall be stated. If the objection is made to a part of an item or  
2 category, the part shall be specified.

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4 6. If YOU, as well as YOUR officers, agents, employees and attorneys discover additional  
5 information as to matters inquired of in these discovery requests, between the time responses  
6 are tendered and the date of trial, supplemental responses shall be made informing Plaintiff and  
7 her attorney as to the newly discovered information.  
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10 7. When YOU are asked to state the facts RELATING TO an allegation in the Complaint  
11 and/or Answer, describe the relevant facts including the date, time and specific location of each  
12 occurrence, and identify, as defined above, each and every PERSON who is a witness and any  
13 related DOCUMENTS.  
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16 8. If any of the discovery requests cannot be answered in full, please answer to the extent  
17 possible, specifying the reasons for YOUR inability to answer the remainder and stating  
18 whatever information or knowledge YOU have concerning the unanswered portion.  
19

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21 9. Throughout these discovery requests, including the definition of terms, words used in  
22 the singular include the plural. Whenever the word "or" appears herein, the meaning intended is  
23 the logical inclusive "or", i.e. "and/or". Whenever the word "each" appears herein, the meaning  
24 intended is "each and every."  
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1 10. For each response to these discovery requests that is withheld under a claim of privilege  
2 or work-product immunity, provide a statement under oath by a person having knowledge  
3 setting forth as to each document or portion withheld:

4 a. The number and subject of each paragraph of this request that  
5 seeks its production;

6 b. The name and title of the author(s);

7 c. The name and title of each person to whom the DOCUMENT was  
8 addressed;

9 d. The name and title of each person to whom a copy of the  
10 DOCUMENT was sent;

11 e. The date of the DOCUMENT;

12 f. The number of pages;

13 g. A brief description of the nature and subject matter of the  
14 DOCUMENT;

15 h. The identity of each person to whom the DOCUMENT, its  
16 contents, or any portion thereof is known or has been disclosed;

17 i. The exact location of the original and each copy as of the date of  
18 receipt of this request; and

19 j. If the DOCUMENT is withheld on any ground other than  
20 privilege, each basis that you contend justifies its withholding.

21 k. For purposes of this instruction, PERSONS shall be identified by  
22 giving their title and business address both at the time the DOCUMENT  
23 was generated by or made available to them and at the present, as well as  
24 their name and present home address, to the extent known.  
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1 11. When you are asked to IDENTIFY a PERSON, provide all the following information  
2 known to you:

- 3 (a) Full name;
- 4 (b) Person's employer currently;
- 5 (c) Job title currently;
- 6 (d) Current business address; and
- 7 (e) Current residential address.

9  
10 12. When you are asked to IDENTIFY a DOCUMENT, provide all the following  
11 information known to you:

- 12 a. Date it was prepared;
- 13 b. Identities of its preparer;
- 14 c. Identities of its recipients;
- 15 d. Current location and custodian; and
- 16 e. Description of contents, sufficient for a motion to produce.

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19 13. IDENTIFY each DOCUMENT relied upon which forms a basis for any answer given or  
20 which corroborates the answer given or the substance of what is given in answer to these  
21 discovery requests.  
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24 14. When DISCOVERY REQUESTS are propounded by Plaintiff to Defendant are  
25 answered by such of Defendant's officers, employees, servants and attorneys as are cognizant of  
26 the facts or opinions, then IDENTIFY each person who assisted or participated in preparing  
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1 and/or supplying any of the information given in answer to or relied upon in preparing answers  
2 to these DISCOVERY REQUESTS.

3  
4 15. State whether the information furnished is within the personal knowledge of the  
5 PERSON answering and, if not, the identity, if known, of each PERSON of whom the  
6 information is a matter of personal knowledge.  
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9 16. Where knowledge of information is requested, such request includes the knowledge of  
10 information of Defendant as well as its officers, agents, employees and attorneys. If more than  
11 one PERSON is listed in answer to a discovery request, each subsequent answer must  
12 IDENTIFY which PERSON supplied that answer and all PERSONS so listed must sign the  
13 answers under oath.  
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16 17. If any of the discovery requests cannot be answered in full, please answer to the extent  
17 possible, specifying the reasons for your inability to answer the remainder and stating whatever  
18 information or knowledge you have concerning the unanswered portion.  
19

20 18. The term "DOCUMENT" means, without limitation, the following items, whether  
21 printed or recorded or reproduced by any other mechanical process, or written or produced by  
22 hand, agreements, communications, state and federal governmental hearings and reports,  
23 correspondence, telegrams, memoranda, summaries or records of telephone conversations or  
24 interviews, diaries, graphs, reports, notebooks, note charts, plans, drawings, sketches, maps,  
25 summaries or reports of consultants, photographs, motion picture, film, brochure, pamphlets,  
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1 advertisements, circular, press releases, drafts, letters, any marginal comments appearing on any  
2 DOCUMENTS and all other writings.

3  
4 19. "YOU" and "YOUR" include the person(s) to whom these requests are addressed, and  
5 all of such person's predecessors, successors, assigns, agents, employees, attorneys, and  
6 insurance companies, and each of them, and all other persons acting or purporting to act on  
7 behalf of YOU including but not limited to Defendant Jim Brewer and Ms. Beth Nepaial.  
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10 20. "PERSON" includes any natural person, firm, association, organization, partnership,  
11 business, trust, corporation or public entity.  
12

13  
14 21. "WRITING" means handwriting, typewriting, word processing, printing, photostating,  
15 photographing and every other means of recording upon any tangible thing, any form of  
16 communication or representation, including letters, words, pictures, sounds or symbols or  
17 combination thereof.  
18

19 22. "RELATING", "RELATIVE TO" OR "RELATED TO" includes referring to, alluding  
20 to, responding to, concerning, connected with, commenting on, in respect to, about, regarding,  
21 discussing, showing, describing, reflecting, analyzing, depicting or constituting.  
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23  
24 23. "OR" means and/or.  
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1 24. "RELEVANT" is defined under the Federal Rules of Evidence and that definition is  
2 incorporated herein. Please note that information can be relevant without necessarily being  
3 admissible.

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6 25. "COMMUNICATION" means the transmission, interchange, or exchange of thoughts,  
7 ideas, messages or information, by speech, signals, writing, code, satellite, computer, letter (or  
8 other form of correspondence), memoranda, telecopy, telex, e-mail, telephone, telegram, voice  
9 mail, face-to-face communication, or any other mode or method of transmission regardless of  
10 format. Under this definition, "COMMUNICATION" may have been contained, obtained or  
11 transmitted in any format, including but not limited to any document as defined herein or any  
12 subpart or portion thereof.

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15 26. Each of these definitions and instructions is hereby incorporated into each of the  
16 discovery requests to which it pertains.

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18 **II.**

19 **REQUESTS FOR PRODUCTION OF DOCUMENTS**

20  
21 **Request for Production No. 1:** Please produce all of YOUR tax returns for the last five  
22 (5) years. YOU may designate this material as "CONFIDENTIAL" and subject to the Protective  
23 Order entered in this matter on May 11, 2006.  
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1 **Request for Production No. 2:** Please produce all leases to real property of which YOU  
2 are a lessee and that of a term longer than one (1) year. YOU may designate this material as  
3 "CONFIDENTIAL" and subject to the Protective Order entered in this matter on May 11, 2006.

4 **Request for Production No. 3:** Please produce all deeds to real property upon which YOU  
5 are listed as an owner. YOU may designate this material as "CONFIDENTIAL" and subject to  
6 the Protective Order entered in this matter on May 11, 2006.  
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9 **Request for Production No. 4:** Please produce any brokerage account statements, stock  
10 ledgers or other DOCUMENTS that IDENTIFY any stock or mutual funds that YOU own.  
11 YOU may designate this material as "CONFIDENTIAL" and subject to the Protective Order  
12 entered in this matter on May 11, 2006.  
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14  
15 **Request for Production No. 5:** Please produce YOUR savings account statements for the  
16 last twelve (12) months. YOU may designate this material as "CONFIDENTIAL" and subject  
17 to the Protective Order entered in this matter on May 11, 2006.  
18

19 **Request for Production No. 6:** Please produce any time certificates of deposit that YOU  
20 had an interest in during the last twelve (12) months. YOU may designate this material as  
21 "CONFIDENTIAL" and subject to the Protective Order entered in this matter on May 11, 2006.  
22

23  
24 **Request for Production No. 7:** Please produce a complete copy of any and all  
25 applications YOU received requesting employment as a classroom teacher with Defendant PSS  
26 in the last five (5) years.  
27  
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1 **Request for Production No. 8:** Please produce copies of any and all notes taken during  
2 the interview and hiring process of any applicant for a position as a classroom teacher with  
3 Defendant PSS in the last five (5) years.  
4

5  
6 **Request for Production No. 9:** Please produce any and all DOCUMENTS RELATED TO  
7 the "letter of concern" circulated at Hopwood Junior High School regarding Ms. Beth Nepaial,  
8 including, but not limited to, internal memoranda, requests for investigation, requests for more  
9 information, responses to the same and written and/or recorded results of any such requests.  
10

11 **Request for Production No. 10:** Please produce any and all DOCUMENTS RELATED TO  
12 any and all policies and procedures, whether written or unwritten, formal or informal,  
13 RELATED TO the supervision of classroom teachers to work for Defendant PSS.  
14

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16 **Request for Production No. 11:** Please produce any and all DOCUMENTS RELATED TO  
17 any and all policies and procedures, whether written or unwritten, formal or informal,  
18 RELATED TO YOUR authority to determine if a contracted employee of PSS will or will not  
19 have their employment contract renewed.  
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21  
22 **Request for Production No. 12:** Please produce any and all DOCUMENTS RELATED TO  
23 school board meetings at which the subject of hiring classroom teachers was discussed,  
24 including, but not limited to, minutes of the meetings, notes taken by board members during  
25 said meetings and any and all exhibits and other DOCUMENTS provided to the school board at  
26 said meetings or used by members of the board during the course of said meetings.  
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1 **Request for Production No. 13:** Please produce any and all DOCUMENTS RELATED TO  
2 school board meetings at which the subject of the non-renewal of employment contracts of  
3 classroom teachers was discussed, including, but not limited to, minutes of the meetings, notes  
4 taken by board members during said meetings and any and all exhibits and other  
5 DOCUMENTS provided to the school board at said meetings or used by members of the board  
6 during the course of said meetings.  
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9 **Request for Production No. 14:** Please produce any and all DOCUMENTS related to the  
10 solicitation, creation and/or gathering of the "**student letters**" to include, but not be limited to,  
11 any notes taken by YOU conducting interviews with students, recordings made of these  
12 interviews, parental permission slips granting PSS authorization to conduct these interviews  
13 and/or any and all materials used to prepare the "**Memorandum**" summarizing these interviews  
14 (document numbered 556 in PSS' initial document production). If YOU have already produced  
15 all of YOUR DOCUMENTS responsive to this request to PSS and if PSS has already produced  
16 some or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary  
17 for you to produce them again. Rather, you may IDENTIFY each of the documents YOU  
18 produced to PSS by the Bates-stamp number with which PSS has marked them in its production  
19 to Plaintiff. However, YOU must produce any responsive DOCUMENTS YOU have that were  
20 not produced by PSS.  
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24 **Request for Production No. 15:** Please produce any and all DOCUMENTS that reflect the  
25 policies and procedures of PSS, formal or informal, that RELATE TO the **solicitation of**  
26 **students for their opinions** regarding their teachers. If YOU have already produced all of  
27 YOUR DOCUMENTS responsive to this request to PSS and if PSS has already produced some  
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1 or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you  
2 to produce them again. Rather, you may IDENTIFY each of the documents YOU produced to  
3 PSS by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
4 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
5 produced by PSS.  
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8 **Request for Production No. 16:** Please produce any and all DOCUMENTS that reflect the  
9 policies and procedures of PSS, formal or informal, that RELATE TO the use of student  
10 opinion information in making personnel decisions regarding PSS schoolteachers. If YOU  
11 have already produced all of YOUR DOCUMENTS responsive to this request to PSS and if  
12 PSS has already produced some or all of the DOCUMENTS responsive to this request to the  
13 Plaintiff, it is not necessary for you to produce them again. Rather, you may IDENTIFY each of  
14 the documents YOU produced to PSS by the Bates-stamp number with which PSS has marked  
15 them in its production to Plaintiff. However, YOU must produce any responsive DOCUMENTS  
16 YOU have that were not produced by PSS.  
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19 **Request for Production No. 17:** Please produce any and all DOCUMENTS that support the  
20 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
21 employment was not renewed because "**Plaintiff was insubordinate on several occasions.**" If  
22 YOU have already produced all of YOUR DOCUMENTS responsive to this request to PSS and  
23 if PSS has already produced some or all of the DOCUMENTS responsive to this request to the  
24 Plaintiff, it is not necessary for you to produce them again. Rather, you may IDENTIFY each of  
25 the documents YOU produced to PSS by the Bates-stamp number with which PSS has marked  
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1 them in its production to Plaintiff. However, YOU must produce any responsive DOCUMENTS  
2 YOU have that were not produced by PSS.

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4 **Request for Production No. 18:** Please produce any and all DOCUMENTS that support  
5 PSS contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
6 employment was not renewed because **"Plaintiff failed to follow school policies and rules and**  
7 **HJHS administrators' instructions."** If YOU have already produced all of YOUR  
8 DOCUMENTS responsive to this request to PSS and if PSS has already produced some or all of  
9 the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to  
10 produce them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS  
11 by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
12 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
13 produced by PSS.  
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17 **Request for Production No. 19:** Please produce any and all DOCUMENTS that YOU will  
18 introduce into evidence at trial or otherwise used to support the contention in response to  
19 Plaintiff's interrogatories by PSS that Plaintiff's contract of employment was not renewed  
20 because **"Plaintiff was difficult to work with and repeatedly had problems getting along**  
21 **with her supervisors, co-workers, other PSS employees and community members."** If YOU  
22 have already produced all of YOUR DOCUMENTS responsive to this request to PSS and if  
23 PSS has already produced some or all of the DOCUMENTS responsive to this request to the  
24 Plaintiff, it is not necessary for you to produce them again. Rather, you may IDENTIFY each of  
25 the documents YOU produced to PSS by the Bates-stamp number with which PSS has marked  
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1 them in its production to Plaintiff. However, YOU must produce any responsive DOCUMENTS  
2 YOU have that were not produced by PSS.

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4 **Request for Production No. 20:** Please produce any and all DOCUMENTS that support the  
5 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
6 employment was not renewed because "**Plaintiff was abrasive, rude, condescending, pushy,**  
7 **hostile, inflexible, argumentative and constantly complaining about many matters**  
8 **concerning her employment with HJHS and PSS.**" If YOU have already produced all of  
9 YOUR DOCUMENTS responsive to this request to PSS and if PSS has already produced some  
10 or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you  
11 to produce them again. Rather, you may IDENTIFY each of the documents YOU produced to  
12 PSS by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
13 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
14 produced by PSS.  
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18 **Request for Production No. 21:** Please produce any and all DOCUMENTS that support the  
19 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
20 employment was not renewed because "**Plaintiff constantly questioned the authority of**  
21 **administrators.**" If YOU have already produced all of YOUR DOCUMENTS responsive to  
22 this request to PSS and if PSS has already produced some or all of the DOCUMENTS  
23 responsive to this request to the Plaintiff, it is not necessary for you to produce them again.  
24 Rather, you may IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp  
25 number with which PSS has marked them in its production to Plaintiff. However, YOU must  
26 produce any responsive DOCUMENTS YOU have that were not produced by PSS.  
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1 **Request for Production No. 22:** Please produce any and all DOCUMENTS that support the  
2 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
3 employment was not renewed because "**Plaintiff had difficulty working in a team and**  
4 **cooperating with others, often demanding that the HJHS administrators and staff proceed**  
5 **according to her terms in many matters.**" If YOU have already produced all of YOUR  
6 DOCUMENTS responsive to this request to PSS and if PSS has already produced some or all of  
7 the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to  
8 produce them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS  
9 by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
10 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
11 produced by PSS.  
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15 **Request for Production No. 23:** Please produce any and all DOCUMENTS that support the  
16 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
17 employment was not renewed because "**Plaintiff had poor rapport with students and**  
18 **engaged in odd behavior in the classroom.**" If YOU have already produced all of YOUR  
19 DOCUMENTS responsive to this request to PSS and if PSS has already produced some or all of  
20 the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to  
21 produce them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS  
22 by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
23 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
24 produced by PSS.  
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1 **Request for Production No. 24:** Please produce any and all DOCUMENTS that support the  
2 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
3 employment was not renewed because "**Plaintiff assaulted students by flicking their ears and**  
4 **pushing their heads.**" If YOU have already produced all of YOUR DOCUMENTS responsive  
5 to this request to PSS and if PSS has already produced some or all of the DOCUMENTS  
6 responsive to this request to the Plaintiff, it is not necessary for you to produce them again.  
7 Rather, you may IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp  
8 number with which PSS has marked them in its production to Plaintiff. However, YOU must  
9 produce any responsive DOCUMENTS YOU have that were not produced by PSS.  
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12 **Request for Production No. 25:** Please produce any and all DOCUMENTS that support the  
13 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
14 employment was not renewed because "**Plaintiff singled out the son of Vice-Principal Beth**  
15 **Nepaial in front of his classmates and embarrassed him.**" If YOU have already produced all  
16 of YOUR DOCUMENTS responsive to this request to PSS and if PSS has already produced  
17 some or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary  
18 for you to produce them again. Rather, you may IDENTIFY each of the documents YOU  
19 produced to PSS by the Bates-stamp number with which PSS has marked them in its production  
20 to Plaintiff. However, YOU must produce any responsive DOCUMENTS YOU have that were  
21 not produced by PSS.  
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25 **Request for Production No. 26:** Please produce any and all DOCUMENTS that support the  
26 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
27 employment was not renewed because "**Students, staff and parents complained to the HJHS**  
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1 **administration regarding Plaintiff's attitude and behavior.** If YOU have already produced  
2 all of YOUR DOCUMENTS responsive to this request to PSS and if PSS has already produced  
3 some or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary  
4 for you to produce them again. Rather, you may IDENTIFY each of the documents YOU  
5 produced to PSS by the Bates-stamp number with which PSS has marked them in its production  
6 to Plaintiff. However, YOU must produce any responsive DOCUMENTS YOU have that were  
7 not produced by PSS.  
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10 **Request for Production No. 27:** Please produce any and all DOCUMENTS that YOU will  
11 introduce into evidence at trial or otherwise used to support the contention in response to  
12 Plaintiff's interrogatories by PSS that Plaintiff's contract of employment was not renewed  
13 because **"Plaintiff failed to meet the objectives and terms of the grant awarded to her by**  
14 **the Governor's Office and failed to provide HJHS with the services and products listed in**  
15 **such grant."** If YOU have already produced all of YOUR DOCUMENTS responsive to this  
16 request to PSS and if PSS has already produced some or all of the DOCUMENTS responsive to  
17 this request to the Plaintiff, it is not necessary for you to produce them again. Rather, you may  
18 IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp number with  
19 which PSS has marked them in its production to Plaintiff. However, YOU must produce any  
20 responsive DOCUMENTS YOU have that were not produced by PSS.  
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24 **Request for Production No. 28:** Please produce any and all DOCUMENTS related to the  
25 approval, award, distribution and/or use of funds provided pursuant to Governor Juan N.  
26 Babauta's Education Initiative from January 2003 to the present to include, but not be limited  
27 to:  
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- a. Any and all DOCUMENTS RELATED TO applications for the  
aforementioned grants;
- b. Any and all DOCUMENTS RELATED TO the award of the  
aforementioned grants;
- c. Any and all DOCUMENTS RELATED TO grant reports  
submitted by YOU;
- d. Any and all DOCUMENTS reflecting how the grant proceeds  
distributed to YOU were utilized to include, but not be limited to,  
individual budgets, receipts, cancelled checks and purchase orders;
- e. And, any and all other DOCUMENTS evidencing how YOU  
utilized the grant money YOU received.

**Request for Production No. 29:** Please produce any and all DOCUMENTS that support the contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of employment was not renewed because **"In April of 2004, Plaintiff held at least two students after school (O.C. and T.G.) causing parent concern that students missed their rides homes."** If YOU have already produced all of YOUR DOCUMENTS responsive to this request to PSS and if PSS has already produced some or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to produce them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp number with which PSS has marked them in its production to Plaintiff. However, YOU must produce any responsive DOCUMENTS YOU have that were not produced by PSS.

1 **Request for Production No. 30:** Please produce any and all DOCUMENTS that support the  
2 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
3 employment was not renewed because **"In May of 2004, Plaintiff had problems with co-**  
4 **worker Eileen Babauta regarding Plaintiff informing students that she is psychic; students**  
5 **in Cecile Manahane's class complained of being frightened that Black can tell the future."**  
6 If YOU have already produced all of YOUR DOCUMENTS responsive to this request to PSS  
7 and if PSS has already produced some or all of the DOCUMENTS responsive to this request to  
8 the Plaintiff, it is not necessary for you to produce them again. Rather, you may IDENTIFY  
9 each of the documents YOU produced to PSS by the Bates-stamp number with which PSS has  
10 marked them in its production to Plaintiff. However, YOU must produce any responsive  
11 DOCUMENTS YOU have that were not produced by PSS.  
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15 **Request for Production No. 31:** Please produce any and all DOCUMENTS that support the  
16 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
17 employment was not renewed because **"In May of 2004, Plaintiff refused to provide make-up**  
18 **work to student S.L. and questioned the authority of Vice-Principal Nepaial inquiring into**  
19 **the situation."** If YOU have already produced all of YOUR DOCUMENTS responsive to this  
20 request to PSS and if PSS has already produced some or all of the DOCUMENTS responsive to  
21 this request to the Plaintiff, it is not necessary for you to produce them again. Rather, you may  
22 IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp number with  
23 which PSS has marked them in its production to Plaintiff. However, YOU must produce any  
24 responsive DOCUMENTS YOU have that were not produced by PSS.  
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1 **Request for Production No. 32:** Please produce any and all DOCUMENTS that support the  
2 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
3 employment was not renewed because **"In June 2004, Plaintiff refused to accept placement**  
4 **as physical education teacher for school year 04/05 wishing to remain as Math teacher;**  
5 **cooperation with HJHS Administration steadily decreased after Plaintiff was placed as**  
6 **Life Skills teacher for 04/05."** If YOU have already produced all of YOUR DOCUMENTS  
7 responsive to this request to PSS and if PSS has already produced some or all of the  
8 DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to produce  
9 them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS by the  
10 Bates-stamp number with which PSS has marked them in its production to Plaintiff. However,  
11 YOU must produce any responsive DOCUMENTS YOU have that were not produced by PSS.  
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15 **Request for Production No. 33:** Please produce any and all DOCUMENTS that support the  
16 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
17 employment was not renewed because **"In July or early August of 2004, Plaintiff had**  
18 **problems with co-worker Annie Torres regarding classroom relocation and furniture."** If  
19 YOU have already produced all of YOUR DOCUMENTS responsive to this request to PSS and  
20 if PSS has already produced some or all of the DOCUMENTS responsive to this request to the  
21 Plaintiff, it is not necessary for you to produce them again. Rather, you may IDENTIFY each of  
22 the documents YOU produced to PSS by the Bates-stamp number with which PSS has marked  
23 them in its production to Plaintiff. However, YOU must produce any responsive DOCUMENTS  
24 YOU have that were not produced by PSS.  
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1 **Request for Production No. 34:** Please produce any and all DOCUMENTS that support the  
2 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
3 employment was not renewed because "In August of 2004, Principal Brewer told Black not to  
4 tell students that **"I know what you are thinking"** based on superstitions and fear of students."  
5 If YOU have already produced all of YOUR DOCUMENTS responsive to this request to PSS  
6 and if PSS has already produced some or all of the DOCUMENTS responsive to this request to  
7 the Plaintiff, it is not necessary for you to produce them again. Rather, you may IDENTIFY  
8 each of the documents YOU produced to PSS by the Bates-stamp number with which PSS has  
9 marked them in its production to Plaintiff. However, YOU must produce any responsive  
10 DOCUMENTS YOU have that were not produced by PSS.  
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14 **Request for Production No. 35:** Please produce any and all DOCUMENTS that support the  
15 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
16 employment was not renewed because **"In late September or October 2004, Plaintiff refused**  
17 **to move from temporary library classroom to room V-6."** If YOU have already produced all  
18 of YOUR DOCUMENTS responsive to this request to PSS and if PSS has already produced  
19 some or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary  
20 for you to produce them again. Rather, you may IDENTIFY each of the documents YOU  
21 produced to PSS by the Bates-stamp number with which PSS has marked them in its production  
22 to Plaintiff. However, YOU must produce any responsive DOCUMENTS YOU have that were  
23 not produced by PSS.  
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26 **Request for Production No. 36:** Please produce any and all DOCUMENTS that support the  
27 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
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1 employment was not renewed because **"In October of 2004, Plaintiff had dispute with co-**  
2 **worker Christine Halloran regarding a bathroom key."** If YOU have already produced all of  
3 YOUR DOCUMENTS responsive to this request to PSS and if PSS has already produced some  
4 or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you  
5 to produce them again. Rather, you may IDENTIFY each of the documents YOU produced to  
6 PSS by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
7 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
8 produced by PSS.  
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11 **Request for Production No. 37:** Please produce any and all DOCUMENTS that support the  
12 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
13 employment was not renewed because **"In October 21, 2004, Plaintiff failed to follow school**  
14 **policies, procedures and instructions by awarding students pass/fail grades instead of**  
15 **percentage grades."** If YOU have already produced all of YOUR DOCUMENTS responsive  
16 to this request to PSS and if PSS has already produced some or all of the DOCUMENTS  
17 responsive to this request to the Plaintiff, it is not necessary for you to produce them again.  
18 Rather, you may IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp  
19 number with which PSS has marked them in its production to Plaintiff. However, YOU must  
20 produce any responsive DOCUMENTS YOU have that were not produced by PSS.  
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24 **Request for Production No. 38:** Please produce any and all DOCUMENTS that support the  
25 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
26 employment was not renewed because **"In January 2005, Plaintiff refused to provide**  
27 **substitution coverage as assigned and could not be located on campus during instructional**  
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1 **hours.”** If YOU have already produced all of YOUR DOCUMENTS responsive to this request  
2 to PSS and if PSS has already produced some or all of the DOCUMENTS responsive to this  
3 request to the Plaintiff, it is not necessary for you to produce them again. Rather, you may  
4 IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp number with  
5 which PSS has marked them in its production to Plaintiff. However, YOU must produce any  
6 responsive DOCUMENTS YOU have that were not produced by PSS.  
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9 **Request for Production No. 39:** Please produce any and all DOCUMENTS that support the  
10 contention in response to Plaintiff’s interrogatories by PSS that Plaintiff’s contract of  
11 employment was not renewed because **“In January 2005, Plaintiff interrupted Cecile**  
12 **Manahane’s class during instructional time and singled out the son of Vice-Principal Beth**  
13 **Nepaial in front of his classmates and embarrassed him.”** If YOU have already produced all  
14 of YOUR DOCUMENTS responsive to this request to PSS and if PSS has already produced  
15 some or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary  
16 for you to produce them again. Rather, you may IDENTIFY each of the documents YOU  
17 produced to PSS by the Bates-stamp number with which PSS has marked them in its production  
18 to Plaintiff. However, YOU must produce any responsive DOCUMENTS YOU have that were  
19 not produced by PSS.  
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23 **Request for Production No. 40:** Please produce any and all DOCUMENTS that support the  
24 contention in response to Plaintiff’s interrogatories by PSS that Plaintiff’s contract of  
25 employment was not renewed because **“In January 2005, soon after interrupting Ms.**  
26 **Manahane’s class, Plaintiff called Ms. Nepaial’s husband (Andy Nepaial) at home to discuss**  
27 **incident in subsection k.”** If YOU have already produced all of YOUR DOCUMENTS  
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1 responsive to this request to PSS and if PSS has already produced some or all of the  
2 DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to produce  
3 them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS by the  
4 Bates-stamp number with which PSS has marked them in its production to Plaintiff. However,  
5 YOU must produce any responsive DOCUMENTS YOU have that were not produced by PSS.  
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8 **Request for Production No. 41:** Please produce any and all DOCUMENTS that support the  
9 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
10 employment was not renewed because **"In January 2005, Katherine Barja, HJHS teacher,**  
11 **submitted student complaints to HJHS Administration regarding Ms. Black's treatment**  
12 **of students, including odd behavior and assault of the students."** If YOU have already  
13 produced all of YOUR DOCUMENTS responsive to this request to PSS and if PSS has already  
14 produced some or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not  
15 necessary for you to produce them again. Rather, you may IDENTIFY each of the documents  
16 YOU produced to PSS by the Bates-stamp number with which PSS has marked them in its  
17 production to Plaintiff. However, YOU must produce any responsive DOCUMENTS YOU  
18 have that were not produced by PSS.  
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22 **Request for Production No. 42:** Please produce any and all DOCUMENTS that support the  
23 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
24 employment was not renewed because **"In February 2005, Plaintiff confronted co-worker**  
25 **Rory Starkey and threatened him."** If YOU have already produced all of YOUR  
26 DOCUMENTS responsive to this request to PSS and if PSS has already produced some or all of  
27 the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to  
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1 produce them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS  
2 by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
3 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
4 produced by PSS.  
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7 **Request for Production No. 43:** Please produce any and all DOCUMENTS that support the  
8 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
9 employment was not renewed because **"In February 2005, Plaintiff interrupted Menchu**  
10 **Grayer's classroom during instructional time causing Ms. Grayer to feel threatened;**  
11 **Plaintiff interrupted the class and spoke with Ms. Grayer despite specific instructions**  
12 **from Principal Brewer."** If YOU have already produced all of YOUR DOCUMENTS  
13 responsive to this request to PSS and if PSS has already produced some or all of the  
14 DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to produce  
15 them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS by the  
16 Bates-stamp number with which PSS has marked them in its production to Plaintiff. However,  
17 YOU must produce any responsive DOCUMENTS YOU have that were not produced by PSS.  
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21 **Request for Production No. 44:** Please produce any and all DOCUMENTS that support the  
22 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
23 employment was not renewed because **"In February 2005, the HJHS Administration**  
24 **received a student complaint regarding students' fear of Plaintiff and Plaintiff requiring**  
25 **the students to repeat that Plaintiff is not psychic."** If YOU have already produced all of  
26 YOUR DOCUMENTS responsive to this request to PSS and if PSS has already produced some  
27 or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you  
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1 to produce them again. Rather, you may IDENTIFY each of the documents YOU produced to  
2 PSS by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
3 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
4 produced by PSS.  
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7 **Request for Production No. 45:** Please produce any and all DOCUMENTS that support the  
8 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
9 employment was not renewed because **"In March 2005, Principal Jim Brewer became aware**  
10 **that Plaintiff inappropriately and without authorization connected a phone line to her**  
11 **room."** If YOU have already produced all of YOUR DOCUMENTS responsive to this request  
12 to PSS and if PSS has already produced some or all of the DOCUMENTS responsive to this  
13 request to the Plaintiff, it is not necessary for you to produce them again. Rather, you may  
14 IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp number with  
15 which PSS has marked them in its production to Plaintiff. However, YOU must produce any  
16 responsive DOCUMENTS YOU have that were not produced by PSS.  
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19 **Request for Production No. 46:** Please produce any and all DOCUMENTS that support the  
20 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
21 employment was not renewed because **"In March 2005, Plaintiff had dispute with Katherine**  
22 **Barja."** If YOU have already produced all of YOUR DOCUMENTS responsive to this request  
23 to PSS and if PSS has already produced some or all of the DOCUMENTS responsive to this  
24 request to the Plaintiff, it is not necessary for you to produce them again. Rather, you may  
25 IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp number with  
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1 which PSS has marked them in its production to Plaintiff. However, YOU must produce any  
2 responsive DOCUMENTS YOU have that were not produced by PSS.

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4 **Request for Production No. 47:** Please produce any and all DOCUMENTS that support the  
5 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
6 employment was not renewed because **"In March 2005, Principal Brewer became aware of**  
7 **Plaintiff detaining students during their lunch time and preventing the students from**  
8 **eating lunch."** If YOU have already produced all of YOUR DOCUMENTS responsive to this  
9 request to PSS and if PSS has already produced some or all of the DOCUMENTS responsive to  
10 this request to the Plaintiff, it is not necessary for you to produce them again. Rather, you may  
11 IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp number with  
12 which PSS has marked them in its production to Plaintiff. However, YOU must produce any  
13 responsive DOCUMENTS YOU have that were not produced by PSS.  
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17 **Request for Production No. 48:** Please produce any and all DOCUMENTS that support the  
18 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
19 employment was not renewed because **"In March/April of 2005, Principal Brewer became**  
20 **aware of the terms of the Governor's Grant and Plaintiff's apparent failure to meet the**  
21 **terms of the grant."** If YOU have already produced all of YOUR DOCUMENTS responsive  
22 to this request to PSS and if PSS has already produced some or all of the DOCUMENTS  
23 responsive to this request to the Plaintiff, it is not necessary for you to produce them again.  
24 Rather, you may IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp  
25 number with which PSS has marked them in its production to Plaintiff. However, YOU must  
26 produce any responsive DOCUMENTS YOU have that were not produced by PSS.  
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1 **Request for Production No. 49:** Please produce any and all DOCUMENTS that support the  
2 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
3 employment was not renewed because **"In April 2005, Plaintiff refused to provide make-up**  
4 **work for student H.W. and refused to provide any information regarding the issue to the**  
5 **Principal in a timely manner."** If YOU have already produced all of YOUR DOCUMENTS  
6 responsive to this request to PSS and if PSS has already produced some or all of the  
7 DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to produce  
8 them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS by the  
9 Bates-stamp number with which PSS has marked them in its production to Plaintiff. However,  
10 YOU must produce any responsive DOCUMENTS YOU have that were not produced by PSS.  
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14 **Request for Production No. 50:** Please produce any and all DOCUMENTS that the  
15 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
16 employment was not renewed because **"In April 2005, Plaintiff refused to report to a**  
17 **meeting with the administrators of HJHS."** If YOU have already produced all of YOUR  
18 DOCUMENTS responsive to this request to PSS and if PSS has already produced some or all of  
19 the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to  
20 produce them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS  
21 by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
22 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
23 produced by PSS.  
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26 **Request for Production No. 51:** Please produce any and all DOCUMENTS that support the  
27 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
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1 employment was not renewed because **"Throughout second semester 2004-05, Plaintiff had**  
2 **problems during cohort meetings, including confrontations with Joseph Connolly and**  
3 **Katherine Barja."** If YOU have already produced all of YOUR DOCUMENTS responsive to  
4 this request to PSS and if PSS has already produced some or all of the DOCUMENTS  
5 responsive to this request to the Plaintiff, it is not necessary for you to produce them again.  
6 Rather, you may IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp  
7 number with which PSS has marked them in its production to Plaintiff. However, YOU must  
8 produce any responsive DOCUMENTS YOU have that were not produced by PSS.  
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11 **Request for Production No. 52:** Please produce any and all DOCUMENTS that support the  
12 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
13 employment was not renewed because **"Plaintiff received two letters of insubordination**  
14 **while a teacher at Koblerville Elementary School (KES) and took leave from KES after**  
15 **being informed that the leave was disapproved."** If YOU have already produced all of  
16 YOUR DOCUMENTS responsive to this request to PSS and if PSS has already produced some  
17 or all of the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you  
18 to produce them again. Rather, you may IDENTIFY each of the documents YOU produced to  
19 PSS by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
20 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
21 produced by PSS.  
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25 **Request for Production No. 53:** Please produce any and all DOCUMENTS that support the  
26 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
27 employment was not renewed because **"Plaintiff's contract of employment was not renewed**  
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1 at San Antonio Elementary School." If YOU have already produced all of YOUR  
2 DOCUMENTS responsive to this request to PSS and if PSS has already produced some or all of  
3 the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to  
4 produce them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS  
5 by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
6 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
7 produced by PSS.  
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10 **Request for Production No. 54:** Please produce any and all DOCUMENTS that support the  
11 contention in response to Plaintiff's interrogatories by PSS that Plaintiff's contract of  
12 employment was not renewed because "**Principal Brewer learned of subsections t., u. and v.**  
13 **above during May of 2004.**" If YOU have already produced all of YOUR DOCUMENTS  
14 responsive to this request to PSS and if PSS has already produced some or all of the  
15 DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to produce  
16 them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS by the  
17 Bates-stamp number with which PSS has marked them in its production to Plaintiff. However,  
18 YOU must produce any responsive DOCUMENTS YOU have that were not produced by PSS.  
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22 **Request for Production No. 55:** Please produce any and all DOCUMENTS that reflect that  
23 any of the eleven items of "information" available to YOU (as identified in PSS' response to  
24 Plaintiff's Interrogatory No. 1 from Plaintiff's First Set Of Interrogatories) were considered  
25 prior to April 2005 in determining whether or not to renew Plaintiff's employment contract with  
26 PSS. If YOU have already produced all of YOUR DOCUMENTS responsive to this request to  
27 PSS and if PSS has already produced some or all of the DOCUMENTS responsive to this  
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1 request to the Plaintiff, it is not necessary for you to produce them again. Rather, you may  
2 IDENTIFY each of the documents YOU produced to PSS by the Bates-stamp number with  
3 which PSS has marked them in its production to Plaintiff. However, YOU must produce any  
4 responsive DOCUMENTS YOU have that were not produced by PSS.  
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7 **Request for Production No. 56:** Please produce any and all DOCUMENTS that were  
8 considered prior to April 2005 in determining whether or not to renew Plaintiff's employment  
9 contract with PSS. If YOU have already produced some or all of the DOCUMENTS responsive  
10 to this request, it is not necessary to produce them again, but rather IDENTIFY each of these  
11 documents by the Bates-stamp number with which YOU have marked them.  
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14 **Request for Production No. 57:** Please produce any and all DOCUMENTS that reflect  
15 what information was considered prior to April 2005 in determining whether or not to renew  
16 Plaintiff's employment contract with PSS. If YOU have already produced all of YOUR  
17 DOCUMENTS responsive to this request to PSS and if PSS has already produced some or all of  
18 the DOCUMENTS responsive to this request to the Plaintiff, it is not necessary for you to  
19 produce them again. Rather, you may IDENTIFY each of the documents YOU produced to PSS  
20 by the Bates-stamp number with which PSS has marked them in its production to Plaintiff.  
21 However, YOU must produce any responsive DOCUMENTS YOU have that were not  
22 produced by PSS.  
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25 Dated this 3rd day of July, 2006.  
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O'CONNOR BERMAN DOTTS & BANES  
Attorneys for Plaintiff Lisa Black

By: 

MICHAEL W. DOTTS (F0150)